



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450
www.uspto.gov

DIGITAL CYCLONE, INC.
c/o GARMIN INTERNATIONAL, INC.
1200 EAST 151ST STREET
ATTN: LEGAL - IP
OLATHE, KS 66062

COPY MAILED

JUL 25 2007

OFFICE OF PETITIONS

In re Application of :
Craig Burfeind, et al. :
Application No. 10/004,623 :
Filed: December 3, 2001 :
Attorney Docket No. 1081.001US2 :

ON PETITION

This is a decision on the renewed petition under 37 CFR 1.137(b), filed March 28, 2007, to revive the above-identified application.

The petition is **GRANTED**.

The application became abandoned for failure to timely file a reply within the meaning of 37 CFR 1.113 to the final Office action of March 24, 2003. A Notice of Abandonment was mailed on October 1, 2003. In response, on December 22, 2003, a petition to withdraw the holding of abandonment was filed. The petition was dismissed in a decision mailed January 26, 2006. Thereafter, on March 10, 2006, a petition to revive under 37 CFR 1.137(b) was filed; however the petition was dismissed in a decision mailed March 9, 2007. On March 29, 2007, the present petition was filed.

The petition now satisfies the requirements of 37 CFR 1.137(b) in that petitioner has supplied (1) the reply in the form of a Request for Continued Examination (RCE) pursuant to 37 CFR 1.114 and fee of \$790; (2) the petition fee of \$750; and (3) a proper statement of unintentional delay.

This application is being referred to Technology Center AU 2863 for further processing the RCE in accordance with 37 CFR 1.114.

Receipt is acknowledged of the notification of loss of entitlement to small entity status. Accordingly, status as a small entity has been removed. All future fees must be paid as a large entity.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3204. Inquiries relating to further prosecution should be directed to the Technology Center.


Sherry D. Briukley
Petitions Examiner
Office of Petitions